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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,058	04/08/2004	Norbert Grittner	101769-248 (tesa AG 1629-	2098
27384 7590 03/14/2007 NORRIS, MCLAUGHLIN & MARCUS, PA 875 THIRD AVENUE 18TH FLOOR NEW YORK, NY 10022			EXAMINER HUG, ERIC J	
			ART UNIT	PAPER NUMBER
			1731	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/822,058	GRITTNER ET AL.	
	Examiner	Art Unit	
	Eric Hug	1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-13 and 17-24 is/are rejected.
- 7) ☒ Claim(s) 9 and 14-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed January 3, 2007 with respect to the rejection of claims under 35 U.S.C. 112, first paragraph under have been fully considered. The rejection has been withdrawn. A new grounds of rejection is made below.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 4, and 5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, step (f): The phrase "forming the paper web" needs to be differentiated from the step of forming the web in step (c). It is uncertain what type of forming is taking place by merely reciting that the web is formed in a press station.

Claims 4, 5: The term "less cutting" is a relative term which renders the claim indefinite. The term "less" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 10-13, and 17-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Trani et al (US 6,024,832).

Trani discloses a method for producing extensible paper, comprising kneading a mix of vegetable fibers and water, beating the fibers to obtain a pulp, feeding the beaten pulp onto a paper web forming cloth to form a web, dewatering the formed web by gravity and vacuum, pressing the web, drying of the web to a moisture content of between 15% and 65% (i.e., to solids content of 35% to 85%), compacting, final drying to a moisture content of between 15% and 4%, and glazing (i.e., calendering). The kneading and mixing correspond to claimed steps (a) and (b). The beating step corresponds to claimed step (c). The feeding and forming a web correspond to claimed step (d). The dewatering by gravity and vacuum corresponds to claimed step (e). Pressing corresponds to claimed step (f). Pressing densifies the web, therefore, the claimed "forming" encompasses any impact of the press rolls on the web. Drying to 15-65% moisture corresponds to claimed step (g). Compacting corresponds to claimed step (h). Drying to moisture content between 15% and 4% corresponds to claimed step (i). Glazing corresponds to claimed step (j). The claimed range of solids content of 15-35% is met in the dewatering step (e) (column 3, lines 43-50). Beating is carried out in a multistage unit including lava disc beating units (column 3, line 23) to obtain a pulp having a Schopper-Riegler freeness of 30-60

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degrees SR (column 3, lines 30-35). Beating serves also to hydrate and curl the fibers.

Compacting is performed by passing the web between at least one pair of rollers with one roll, a hard roll with ribs, driven at speed greater than that of the other roll, a soft roll. Compacting occurs in both the longitudinal and transverse directions (column 4, lines 29-41). The claimed fiber sources are given in column 3, lines 4-9. Exemplary elongation and basis weight are given in column 4, lines 52-59.

Allowable Subject Matter

Claims 9 and 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 9 is allowable for providing the forming step (step (f) of claim 1) with a structured profiled roll and/or structured felt.

Claims 14-16 are allowable for providing web stretching during second drying (step (g) of claim 1) by means of a controlled preacceleration of consecutive guide rolls.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Klowak (US 4,834,838)

Welsh (US 3,454,463)

Hamilton (US 2,996,425)

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192. The examiner can normally be reached on Monday through Friday, 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Eric Hug